

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BMW OF NORTH AMERICA, LLC, et  
al.,

No. C 11-04598 WHA

Plaintiffs,

v.

**ORDER DENYING MOTION  
TO VACATE DEFAULT  
JUDGMENT**


DINODIRECT CORP., et al.,

Defendants.

A prior order conditionally granted defendants' motion to vacate default judgment subject to certain mandatory conditions (*see* Dkt. Nos. 73–74, 85, 100). These conditions included defendants making two deponents available for depositions in the U.S. and producing “all responsive documents” pursuant to narrow document requests related to those depositions by January 31. These conditions have not been fulfilled and defendants' excuses for not fulfilling them are flimsy and not credible. Accordingly, defendants' motion to vacate default judgment is **DENIED**. The Clerk **SHALL CLOSE THE FILE**.

**IT IS SO ORDERED.**

Dated: February 1, 2013.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE